

SENATE BILL 2041

By Black

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to pre-kindergarten education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-105, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding any provision of §§ 49-6-103--49-6-110 to the contrary, in establishing pre-kindergarten programs, LEAs shall give priority to non-school system entities, including, but not limited to, nonprofit and for-profit child care providers and Head Start programs, within the community that have pre-existing pre-kindergarten classrooms and indicate willingness to participate in a pre-kindergarten program pursuant to §§ 49-6-103--49-6-110. LEAs may contract with child care providers licensed by the department of human services, if the provider has attained the highest designation under the rated licensing system administered by the department of human services, pursuant to title 71, chapter 3, part 5, and, notwithstanding the provisions of § 49-6-104(b)(2), if the provider employs as pre-kindergarten teachers individuals who hold a child development associate credential (CDA), associate degree in early childhood education or higher degree.

SECTION 2. Tennessee Code Annotated, Section 49-6-104, is amended by adding the following language as a new, appropriately designated subsection:

() At risk children, who have been enrolled in a program for children younger than four (4) years of age with a non-school system provider, may continue enrollment with such provider in a pre-kindergarten program under the provisions of §§ 49-6-103--49-6-110.

SECTION 3. Tennessee Code Annotated, Section 49-6-107(c), is amended by deleting the third sentence of the subsection and by substituting instead the following sentence:

The LEA may also meet the matching funds requirement under this section through in-kind matches, including, but not limited to, the use of non-LEA owned physical facilities, instructional materials, equipment and supplies, food and nutrition services and transportation services; provided, however, that no matching funds requirement shall be met by the use of for-profit non-school system entities' physical facilities, instructional materials, equipment and supplies, food and nutrition services and transportation services.

SECTION 4. Tennessee Code Annotated, Section 49-6-107, is amended by adding the following language as a new, appropriately designated subsection:

() A non-school system entity providing a pre-kindergarten program under the provisions of §§ 49-6-103--49-6-110 shall receive all state funding and all local matching funding required by the provisions of this section on a per pupil served basis.

SECTION 5. This act shall take effect July 1, 2007, the public welfare requiring it.